

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COLUMBIA GAS TRANSMISSION  
CORPORATION,

Plaintiff,

v.

AN EASEMENT TO CONSTRUCT,  
OPERATE AND MAINTAIN A 24-INCH  
GAS TRANSMISSION PIPELINE ACROSS  
PROPERTIES IN CHESTER COUNTY,  
PENNSYLVANIA, OWNED BY JAY PAR  
AND PAR ANBIL, et al. and UNKNOWN  
PERSONS AND INTERESTED PARTIES,

Defendants.

C.A. No. 02-CV-3733

**PLAINTIFF COLUMBIA GAS TRANSMISSION CORPORATION'S  
PARTIAL DISMISSAL OF TAKING AS TO PROPERTY OF  
FRANCISCO T. AND KATHLEEN D. RIVAS AND  
ROBERT L.M. AND LINDA LANDENBERG**

Pursuant to Rule 71A(i), the plaintiff, Columbia Gas Transmission Corporation ("Columbia") dismisses a portion of the property interest taken as to defendants Francisco T. and Kathleen D. Rivas ("Rivas") and Robert L.M. and Linda Landenberg ("Landenberg") and states in support as follows:

1. On June 12, 2002, Columbia filed its Complaint condemning permanent and temporary easements as to specified properties, including the properties owned by Rivas and Landenberg.

2. The drawings attached to the Complaint filed by Columbia in this action showed the taking of temporary easements on both the east and west side of the permanent easement.

3. Columbia has not yet taken possession of the easements and no hearing on just compensation has begun.

4. Columbia has determined that it does not need to take the temporary easement on the east side of the permanent easement. The new drawings attached to this Partial Dismissal as Exhibit A show the corrected depiction of the property taken.

5. The temporary easement as described in the Complaint and depicted in the drawings are limited to the initial construction of the 24-inch pipeline which will replace the existing 10-inch pipeline. To the extent that the Complaint could have been read to take temporary construction easements in perpetuity, Columbia now explicitly limits its condemnation of the temporary easement to the initial construction only.

WHEREFORE, Columbia dismisses from this action the taking of the temporary easement on the east side of the permanent easement through the Rivas and Landenberg properties and clarifies that the temporary easement on the western side of the permanent easement is limited to the initial construction of the 24-inch pipeline. This Partial Dismissal does not affect Columbia's condemnation of the permanent easement and the temporary easement to the west of the permanent easement.

Date: March 31, 2003

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Attorneys for Plaintiff  
Columbia Gas Transmission Corporation

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Plaintiff Columbia Gas Transmission Corporation's Partial Dismissal of Taking as to Property of Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg has been served by first class mail to the following:

Kevin R. Boyle  
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30 Valley Stream Parkway  
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Counsel for: Archbishop of Philadelphia

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Francisco T. Rivas  
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Downingtown, PA 19335  
Counsel for: Francisco T. and Kathleen D. Rivas and Robert L.M. and Linda Landenberg

Date: March 31, 2003

  
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PROP. 24" GAS  
LINE #1896  
(TO REPLACE 10" LN. 1896  
W/ EXISTING 50' R.O.W.)

(73)  
ROBERT L M  
& LINDA  
LANDENBERG

TAX MAP No. 33-03-13.1  
D.B.V. M 61 PG. 411  
412'=25R

CONST. R.O.W.

14" GAS LINE #1278  
(EXISTING 50' R.O.W.)

**NOTE:**

THIS PLAT DOES NOT CONSTITUTE A BOUNDARY  
SURVEY, INFORMATION WAS TAKEN FROM G.I.S.  
INFORMATION AND CURRENT TAX MAPS AS  
PROVIDED BY CHESTER COUNTY.

NORTH

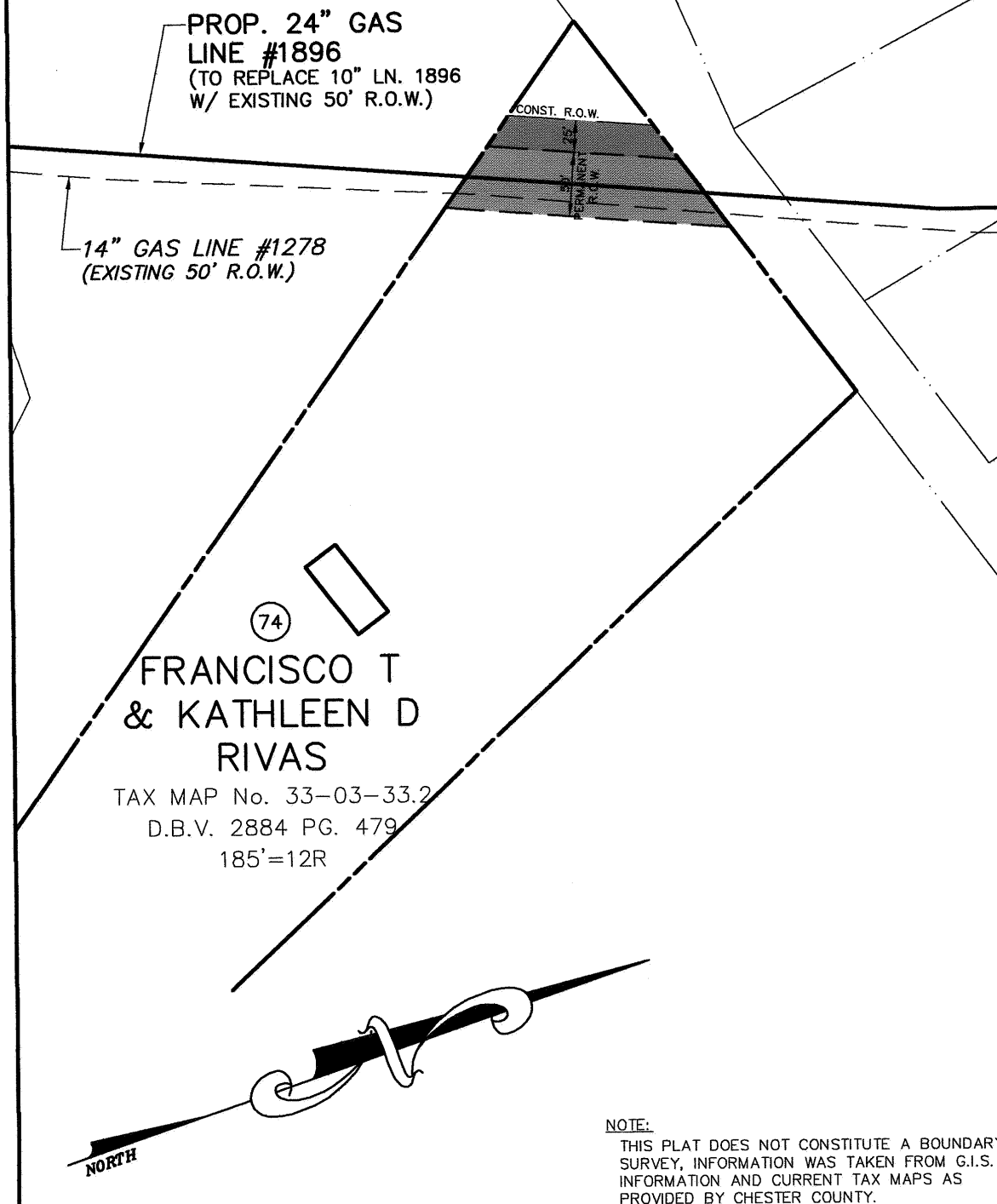
20,175 Sq. Ft.  
OF PERMANENT  
RIGHT-OF-WAY

10,962 Sq. Ft.  
OF CONSTRUCTION  
RIGHT-OF-WAY

REVISED: 3-28-03  
REVISED: 6-10-02  
REVISED: 2-11-02

**Columbia Gas**  
**Transmission**  
A RESOURCE COMPANY

FACILITY DELAWARE VALLEY ENERGY EXPANSION PROJECT		ASSET GROUP 13	
PROJECT RIGHT-OF-WAY FOR ROBERT L M & LINDA LANDENBERG		TAX DISTRICT (S) UWCHLAN TOWNSHIP	
CONSULTANT THE EADS GROUP	ENGINEER N. TYSON	FIELD BOOK PAGE	COUNTY (IES) CHESTER
SURVEY DATE JULY, 2001	REFERENCES DRAWING No. D-2204 "PROPOSED 24" GAS PIPELINE #1896 REPLACE EXISTING 10" LINE #1896"		STATE (S) PENNSYLVANIA
MAP DATE AUG, 2001	SHEET 6 of 13		SHEET No. <u>1</u> of <u>1</u>
DRAWN BY S. CSEHOSKI	SCALE 1"=100'		DRAWING No. A-2450



9,314 Sq. Ft.  
OF PERMANENT  
RIGHT-OF-WAY

3,278 Sq. Ft.  
OF CONSTRUCTION  
RIGHT-OF-WAY

REVISED: 3-28-03  
REVISION: 6-6-02

Columbia Gas Transmission A RESOURCE COMPANY			
FACILITY DELAWARE VALLEY ENERGY EXPANSION PROJECT		ASSET GROUP 13	
PROJECT RIGHT-OF-WAY FOR FRANCISCO T & KATHLEEN D RIVAS		TAX DISTRICT (S) UWCHLAN TOWNSHIP	
CONSULTANT THE EADS GROUP	ENGINEER N. TYSON	FIELD BOOK PAGE	COUNTY (IES) CHESTER
SURVEY DATE JULY, 2001	REFERENCES DRAWING No. D-2204 "PROPOSED 24" GAS PIPELINE #1896 REPLACE EXISTING 10" LINE #1896" SHEET 6 of 13		STATE (S) PENNSYLVANIA
MAP DATE AUG, 2001			SHEET No. <u>1</u> of <u>1</u>
DRAWN BY S. CSEHOSKI			DRAWING No. A-2451
SCALE 1"=100'			